

# State of South Dakota

EIGHTY-THIRD SESSION  
LEGISLATIVE ASSEMBLY, 2008

174P0714

## HOUSE BILL NO. 1305

Introduced by: Representatives DeVries, Brunner, Gassman, Howie, Jerke, Lucas, Nelson, Noem, and Olson (Betty) and Senators Lintz, Duenwald, Maher, McNenny, Napoli, and Sutton

1 FOR AN ACT ENTITLED, An Act to revise provisions related to a state animal identification  
2 program and to prohibit participation by the State of South Dakota in a national animal  
3 identification system.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

5 Section 1. That § 40-3-27 be amended to read as follows:

6 40-3-27. The Animal Industry Board may develop and implement specific programs for the  
7 identification of animals ~~and premises~~ involved in animal movements. Any program  
8 implemented pursuant to §§ 40-3-27 to 40-3-29, inclusive, shall provide for confidentiality of  
9 identification records other than those records requested by law enforcement officers of the state  
10 and those records used for mandatory disease control or eradication efforts.

11 Any identification program implemented pursuant to ~~§§ 40-3-27 to 40-3-29, inclusive, §§~~  
12 40-3-27 and 40-3-29 shall be for the sole purpose of maintaining animal health and ensuring the  
13 safety of the food supply.

14 The State of South Dakota may not develop, implement, or participate in the national animal



1 identification system (NAIS) or any component of the NAIS, including premises registration,  
2 animal identification, and animal movement tracing, or any similar source verification system  
3 other than the current South Dakota Certified Beef Program established pursuant to chapter 39-  
4 24. Any cooperative agreement between the state and federal government or any other state  
5 associated with any component of the NAIS is void. Any NAIS identification list or related  
6 database compiled using federal funds under NAIS is void.

7 Section 2. That chapter 40-3 be amended by adding thereto a NEW SECTION to read as  
8 follows:

9 Nothing in this Act prohibits the state from establishing or participating in disease control  
10 programs specifically designed to address a known disease in a specific species of livestock.